

Austin, Texas, October 13, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 37, Requesting the
State Highway Department to design-
ate a special agent who shall at all
times be available in Hutchinson
County for the purpose of issuing such
permits in compliance with the terms
of Article 6701a, R. C. S. of Texas.

Has carefully compared same and
finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, October 13, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 10, "An Act to amend
Article 1589 of the Penal Code of the
State of Texas, 1925, relating to the
fees to be charged by private employ-
ment agents or agencies in Texas, and
declaring an emergency."

Has carefully compared same and
finds it correctly enrolled.

HERZIK, Chairman.

TWELFTH DAY

(Thursday, October 14, 1937)

The House met at 8:24 o'clock p.
m., pursuant to adjournment, and was
called to order by Mr. Tennyson.

The roll of the House was called,
and the following Members were pres-
ent:

Mr. Speaker	Carsow
Adkins	Cathey
Alexander	Cauthorn
Alsop	Celaya
Amos	Colquitt
Anderson	Davis of Haskell
Bates	Davis of Jasper
Beckworth	Davison of Fisher
Bell	Davison
Blankenship	of Eastland
Boethel	Dean
Bond	Deglandon
Boyer	Derden
Bradbury	Dickison
Bradford	Dollins
Bridgers	Donaghey
Broadfoot	England
Brown	Felty
Burton	Fielden
Callan	Fox

Fuchs	McKee
Gibson	Metcalfe
Hamilton	Moffett
Hankamer	Monkhouse
Hanna	Morris
Harbin	Morse
Hardin	Newton
Harrell	Nicholson
Harris of Archer	Oliver
Harris of Dallas	Patterson of Mills
Harris of Dickens	Patterson
Hartzog	of Travis
Herzik	Petsch
Holland	Pope
Hoskins	Powell
Howard	Prescott
Huddleston	Quinn
Hull	Ragsdale
Jackson	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Riddle
Jones of Angelina	Roark
Jones of Falls	Ross
Jones of Wise	Russell
Keefe	Settle
Keith	Sewell
Kelt	Sharpe
Kenyon	Shell
Kern	Simpson
King	Smith of Hopkins
Knetsch	Smith of Tarrant
Langdon	Stinson
Lankford	Talbert
Lanning	Tennant
Lehman	Tennyson
Leonard	Thornberry
Little	Thornton
Loggins	Vale
London	Waggoner
Lucas	Weldon
Mann	Winfree
Mays	Wood
McConnell	Worley
McDonald	

Absent

Farmer	Skaggs
Harper	Smith
Mauritz	of Matagorda
Palmer	Stocks

Absent—Excused

Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook
Leyendecker	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Cagle for today, on motion of Mr. Bradford.

Mr. Hyder for today, on motion of Mr. Lehman.

Mr. Heflin for today, on motion of Mr. Monkhouse.

Mr. Jones of Atascosa for today, on motion of Mr. Bell.

Mr. Graves for today, on motion of Mr. Amos.

Mr. Schuenemann for today, on motion of Mr. Shell.

Mr. Cleveland for today, on motion of Mr. Hamilton.

Mr. Tarwater for today, on motion of Mr. Nicholson.

Mr. Leath for today, on motion of Mr. Wood.

The following Members were granted leaves of absence on account of illness:

Mr. McFarland for today, on motion of Mr. Tennant.

Mr. McKinney for today, on motion of Mr. Alexander.

Mr. Leyendecker for today, on motion of Mr. Celaya.

Mr. Westbrook for today, on motion of Mr. Oliver.

Mr. Baker for today, on motion of Mr. King.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Huddleston:

H. B. No. 112, A bill to be entitled "An Act to validate the organization and creation of all School Districts including Rural High School Districts, County Line Rural High School Districts and Consolidated County Line Rural High School Districts, whether created by General or Special Law, by County Board of Trustees by the officers of any County, or by the Board of Trustees of any such School District, validating the acts of such County Board of Trustees and Board

of such Districts, or such County Officer or Officers; validating all proceedings and acts of said Board of Trustees, heretofore taken by such Board of Trustees; validating all Bonds, issued and now outstanding, or heretofore voted but not yet issued of said Districts; validating all tax levies made or attempted to be made in behalf of said Districts, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Bradford:

H. B. No. 113, A bill to be entitled "An Act granting Frank Dees and Mrs. George Armstrong, and husband George Armstrong, of Brewster County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Brewster County, Texas, for damages sustained to their property by the construction of roadbed and culverts adjacent to their land upon State Highway Number 3, in Brewster County, Texas; impounding water on such land, washing and destroying said land; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Jones of Angelina:

H. B. No. 114, A bill to be entitled "An Act amending Article 880 of the Penal Code of the State of Texas making it lawful to use a dog in the hunting of or pursuing of or taking of any deer in Tyler County."

Referred to the Committee on Game and Fisheries.

By Mr. Harris of Dallas, Mr. Stinson, Mr. Reed of Dallas and Mr. Hanna:

H. B. No. 115, A bill to be entitled "An Act providing that in all counties having a population according to the last preceding Federal Census of more than 325,000 and less than 350,000, and having two or more Criminal Districts Courts, the Deputy District Clerks serving in each of the said Criminal District Courts shall be appointed by the regularly elected Judge of said Court; providing for the

salaries to be paid such Deputy District Clerks; designating the authority that each is to have; specifying the fund from which the Clerk's salaries are to be paid; repealing all laws or parts of laws in conflict herewith; providing for things necessary, incidental and pertinent hereto, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Lanning:

H. B. No. 116, A bill to be entitled "An Act providing that a County Auditor may be appointed in any county having a population of not less than twenty thousand one hundred (20,100) nor more than twenty thousand one hundred and fifty (20,150) according to the last preceding Federal Census and having a taxable value of less than Fifteen Million (\$15,000,000.00) Dollars, according to the last approved tax roll; providing that Commissioners' Court in such county may by order determine the necessity for such office as well as by order may discontinue such office; providing compensation and the fund from which it shall be paid, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Alsup, Mr. Bradbury, Mr. Kern, Mr. Smith of Hopkins, Mr. Ross, Mr. Davis of Jasper, Mr. Reed of Bowie, Mr. Rhodes, Mr. Harrell, Mr. Hardin, Mr. Davis of Haskell and Mr. Johnson of Ellis:

H. B. No. 117, A bill to be entitled "An Act amending Senate Bill No. 185, Section 13, Acts, Regular Session, Forty-fifth Legislature, by providing an additional One Million (\$1,000,000.00) Dollars for transportation aid."

Referred to the Committee on Appropriations.

By Mr. Hull, Mr. Johnson of Tarrant, Mr. Knetsch and Mr. Carsow:

H. B. No. 118, A bill to be entitled "An Act providing that the Supreme Court may grant certain attorneys who have practiced law in a State of the United States for a period of 20 years and hold a license to practice law before the Supreme Court of the United States may be granted a license to practice in this State without taking the bar examinations, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. London:

H. B. No. 119, A bill to be entitled "An Act to amend Section 2 of House Bill No. 645 enacted by the Forty-fifth Legislature, at its Regular Session in 1937, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Reed of Dallas, Mr. Harris of Dallas and Mr. Stinson:

H. B. No. 120, A bill to be entitled "An Act fixing the compensation of official shorthand reporters in District Courts, Criminal District Courts in all counties having a population of more than three hundred and twenty-five thousand (325,000) and less than three hundred and fifty-five thousand (355,000) inhabitants according to the last preceding or any future Federal Census; providing methods of payments; providing that if any section, paragraph, sentence, clause, phrase or part of this Act be invalid, such invalidity shall not effect the remainder thereof, repealing all laws and parts of laws in conflict to the extent of such conflict only, and declaring an emergency."

Referred to the Committee on Counties.

MOTION TO TAKE UP HOUSE BILL NO. 20

Mr. Anderson moved that all necessary Rules be suspended for the purpose of taking up and having placed on its third reading and final passage, House Bill No. 20.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—69

Alexander	Colquitt
Amos	Davisson
Anderson	of Eastland
Bell	Dean
Boethel	Dickison
Bond	Dollins
Boyer	Donaghey
Bradford	Felty
Bridgers	Fielden
Callan	Fuchs
Carsow	Gibson
Cathey	Hankamer
Cauthorn	Hanna
Celaya	Harris of Dallas

Hartzog	Newton
Herzik	Nicholson
Hoskins	Patterson of Mills
Howard	Patterson
Hull	of Travis
Jackson	Pope
Johnson of Ellis	Quinn
Johnson	Ragsdale
of Tarrant	Reed of Dallas
Jones of Falls	Rhodes
Keith	Riddle
Kenyon	Settle
Knetsch	Sharpe
Lehman	Shell
Leonard	Simpson
Little	Smith of Tarrant
Loggins	Stinson
Mann	Talbert
Mays	Thornton
McDonald	Vale
McKee	Waggoner
Monkhouse	Winfree

Nays—53

Adkins	Kelt
Alsup	Kern
Bates	King
Beckworth	Langdon
Blankenship	Lankford
Bradbury	Lanning
Broadfoot	London
Brown	Lucas
Burton	McConnell
Davis of Haskell	Metcalfe
Davis of Jasper	Moffett
Davison of Fisher	Morris
Deglandon	Oliver
Derden	Petsch
England	Powell
Fox	Prescott
Hamilton	Reed of Bowie
Harbin	Roark
Hardin	Ross
Harrell	Russell
Harris of Archer	Smith of Hopkins
Harris of Dickens	Tennyson
Holland	Thornberry
Huddleston	Weldon
Jones of Angelina	Wood
Jones of Wise	Worley
Keefe	

Present—Not Voting

Sewell	Tennant
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Absent

Farmer	Skaggs
Harper	Smith
Mauritz	of Matagorda
Morse	Stocks
Palmer	

Absent—Excused

Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook
Leyendecker	

PAIRED

Mr. Sewell (present), who would vote "nay", with Mr. Reader (absent), who would vote "yea".

Mr. Tennant (present), who would vote "nay", with Mr. McFarland (absent), who would vote "yea".

BILL RE-REFERRED

Mr. Kern moved that House Bill No. 65 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Commerce and Manufactures.

The motion prevailed.

RELATIVE TO HOUSE BILL NO. 3

Mr. Gibson moved that House Bill No. 3 be withdrawn from the Committee on Commerce and Manufactures and referred to the Committee on Revenue and Taxation.

Mr. Dickison moved to table the motion to re-refer.

The motion to table was lost.

Question then recurring on the motion to re-refer House Bill No. 3, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—22

Bond	Lankford
Bradford	London
Brown	Mann
Burton	Mays
Davison of Fisher	Nicholson
Gibson	Petsch
Hankamer	Powell
Harris of Archer	Stinson
Huddleston	Talbert
Jackson	Tennant
Johnson of Ellis	Wood

Nays—84

Adkins	Bates
Alexander	Beckworth
Alsup	Blankenship
Amos	Boethel
Anderson	Boyer

Bradbury	King
Bridgers	Knetsch
Carssow	Langdon
Cathey	Lanning
Cauthorn	Lehman
Celaya	Little
Colquitt	Lucas
Davis of Haskell	McConnell
Davis of Jasper	McDonald
Davisson	McKee
of Eastland	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morse
Dollins	Newton
England	Oliver
Felty	Patterson of Mills
Fielden	Patterson
Fox	of Travis
Fuchs	Pope
Hamilton	Prescott
Hanna	Quinn
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harrell	Rhodes
Harris of Dickens	Roark
Hartzog	Ross
Herzik	Russell
Holland	Settle
Hoskins	Sewell
Howard	Simpson
Hull	Smith of Hopkins
Johnson	Smith of Tarrant
of Tarrant	Thornberry
Jones of Falls	Thornton
Jones of Wise	Waggoner
Keefe	Weldon
Keith	Worley
Kern	

Present—Not Voting

Bell	Sharpe
Loggins	Vale
Riddle	

Absent

Broadfoot	Mauritz
Callan	Morris
Dean	Palmer
Donaghey	Ragsdale
Farmer	Shell
Harper	Skaggs
Harris of Dallas	Smith
Jones of Angelina	of Matagorda
Kelt	Stocks
Kenyon	Tennyson
Leonard	Winfree

Absent—Excused

Baker	Hyder
Cagle	Jones of Atascosa
Cleveland	Leath
Graves	Leyendecker
Heflin	McFarland

McKinney	Stevenson
Reader	Tarwater
Rutta	Westbrook
Schuenemann	

Mr. Bradbury moved that the House adjourn until 10:00 o'clock tomorrow.

Mr. Worley moved that the House recess until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—50

Adkins	Kern
Alsup	King
Amos	Langdon
Bates	Lankford
Beckworth	Lanning
Blankenship	London
Bradbury	Lucas
Brown	McConnell
Burton	Metcalfe
Davis of Haskell	Moffett
Davis of Jasper	Morris
Davison of Fisher	Oliver
Deglandon	Patterson of Mills
Derden	Petsch
Fox	Powell
Hamilton	Reed of Bowie
Harbin	Ross
Hardin	Russell
Harrell	Sewell
Harris of Archer	Smith of Hopkins
Holland	Talbert
Huddleston	Tennyson
Jones of Wise	Thornberry
Keefe	Weldon
Kelt	Worley

Nays—69

Alexander	England
Anderson	Felty
Bell	Fielden
Boethel	Fuchs
Bond	Gibson
Boyer	Hankamer
Bradford	Hanna
Bridgers	Harris of Dallas
Callan	Harris of Dickens
Carssow	Hartzog
Cathey	Herzik
Cauthorn	Howard
Celaya	Hull
Colquitt	Jackson
Davisson	Johnson of Ellis
of Eastland	Johnson
Dickison	of Tarrant
Dollins	Jones of Falls
Donaghey	Keith

Kenyon	Prescott
Knetsch	Quinn
Lehman	Reed of Dallas
Leonard	Rhodes
Little	Riddle
Loggins	Settle
Mann	Sharpe
Mays	Shell
McDonald	Simpson
McKee	Smith of Tarrant
Monkhouse	Stinson
Morse	Tennant
Newton	Thornton
Nicholson	Vale
Patterson	Waggoner
of Travis	Winfree
Pope	Wood

Present—Not Voting

Roark

Absent

Broadfoot	Palmer
Dean	Ragsdale
Farmer	Skaggs
Harper	Smith
Hoskins	of Matagorda
Jones of Angelina	Stocks
Mauritz	

Absent—Excused

Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook
Leyendecker	

PAIRED

Mr. Roark (present), who would vote "yea", with Mr. Quinn (absent), who would vote "nay".

Question next recurring on the motion to recess, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—48

Adkins	Davison of Fisher
Alsup	Deglandon
Bates	Derden
Beckworth	Fox
Blankenship	Fuchs
Bradbury	Hamilton
Bridgers	Harbin
Brown	Hardin
Burton	Harrell
Davis of Haskell	Harris of Archer
Davis of Jasper	Huddleston

Jones of Wise	Morris
Keefe	Oliver
Kelt	Patterson of Mills
Kern	Petsch
King	Powell
Langdon	Reed of Bowie
Lankford	Ross
Lanning	Russell
London	Smith of Hopkins
Lucas	Tennyson
McConnell	Thornberry
Metcalfe	Weldon
Moffett	Worley

Nays—72

Alexander	Keith
Amos	Kenyon
Anderson	Knetsch
Bell	Lehman
Boethel	Leonard
Bond	Little
Boyer	Loggins
Bradford	Mann
Callan	Mays
Carsow	McDonald
Cathey	McKee
Cauthorn	Monkhouse
Celaya	Morse
Colquitt	Newton
Davisson	Nicholson
of Eastland	Patterson
Dean	of Travis
Dickison	Pope
Dollins	Prescott
Donaghey	Quinn
England	Reed of Dallas
Fielden	Rhodes
Felty	Riddle
Gibson	Settle
Hankamer	Sewell
Hanna	Sharpe
Harris of Dallas	Shell
Harris of Dickens	Simpson
Hartzog	Smith of Tarrant
Herzik	Stinson
Hoskins	Talbert
Howard	Tennant
Hull	Thornton
Jackson	Vale
Johnson of Ellis	Waggoner
Johnson	Winfree
of Tarrant	Wood
Jones of Falls	

Present—Not Voting

Roark

Absent

Broadfoot	Palmer
Farmer	Ragsdale
Harper	Skaggs
Holland	Smith
Jones of Angelina	of Matagorda
Mauritz	Stocks

Absent—Excused

Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook
Leyendecker	

PAIRED

Mr. Roark (present), who would vote "yea", with Mr. Quinn (absent), who would vote "nay".

HOUSE BILL NO. 20 ON THIRD READING

Mr. Hardin moved that all necessary Rules be suspended for the purpose of taking up and considering House Bill No. 20 on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—77

Alexander	Howard
Alsup	Huddleston
Amos	Hull
Anderson	Jackson
Bates	Johnson of Ellis
Bell	Johnson
Boethel	of Tarrant
Bond	Jones of Falls
Boyer	Keith
Bradford	Kelt
Bridgers	Kenyon
Callan	Knetsch
Carssow	Leonard
Cathey	Little
Cauthorn	Loggins
Celaya	Mann
Colquitt	Mays
Davisson	McDonald
of Eastland	McKee
Dean	Monkhouse
Dickison	Morse
Dollins	Newton
Donaghey	Nicholson
Felty	Patterson
Fielden	of Travis
Fuchs	Petsch
Gibson	Pope
Hankamer	Prescott
Hanna	Ragsdale
Hardin	Reed of Dallas
Harper	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Settle
Hartzog	Sharpe
Herzik	Shell
Hoskins	Simpson

Smith of Tarrant	Vale
Stinson	Waggoner
Talbert	Winfree
Thornton	Worley

Nays—39

Adkins	Lankford
Beckworth	Lanning
Blankenship	London
Bradbury	Lucas
Brown	McConnell
Burton	Metcalfe
Deglandon	Moffett
Derden	Morris
England	Oliver
Fox	Patterson of Mills
Hamilton	Powell
Harbin	Reed of Bowie
Harrell	Ross
Harris of Archer	Russell
Jones of Angelina	Smith of Hopkins
Jones of Wise	Tennyson
Keefe	Thornberry
Kern	Wood
King	Weldon
Langdon	

Present—Not Voting

Davis of Jasper	Sewell
Holland	Tennant
Roark	

Absent

Broadfoot	Palmer
Davis of Haskell	Quinn
Davison of Fisher	Skaggs
Farmer	Smith
Lehman	of Matagorda
Mauritz	Stocks

Absent—Excused

Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook
Leyendecker	

PAIRED

Mr. Sewell (present), who would vote "nay", with Mr. Reader (absent), who would vote "yea".

Mr. Holland (present), who would vote "nay", with Mr. Leyendecker (absent), who would vote "yea".

Mr. Tennant (present), who would vote "nay", with Mr. McFarland (absent), who would vote "yea".

Mr. Roark (present), who would vote "nay", with Mr. Quinn (absent), who would vote "yea".

The Chair then laid before the House, on its third reading and final passage,

H. B. No. 20, A bill to be entitled "An Act levying additional taxes upon the sale of alcoholic beverages in this State; levying a gross proceeds tax of ten per cent (10%) upon sales of liquor under a Dispenser's Permit; providing the manner of the collection of said tax; fixing penalties for failure to pay the State the taxes due thereon; defining the powers and duties of Texas Liquor Control Board with respect to the collection of said tax; authorizing the issuance of a Dispenser's Permit for the sale of diluted distilled spirits; fixing the qualifications of persons entitled to hold such permits; authorizing the Texas Liquor Control Board or the Administrator to cancel or suspend the same for violations; fixing the fees for such permits; providing for local option elections to legalize or prohibit the issuance of such permits; allocating fees and revenues derived from said permits to the Old Age Assistance Fund; excepting the holders of Dispenser's Permits from the prohibitions contained in Section 3 (a) of Article I of the Texas Liquor Control Act; amending the Texas Liquor Control Act by adding thereto a new section, and declaring an emergency."

The bill was read third time.

Mr. Fox offered the following amendment to the bill:

Amend House Bill No. 20, by adding a new section, to be known as Section 50 B (1) to read as follows:

"Provided, however, that what is commonly known as 'social' drinking shall be forever prohibited. By social drinking is meant the buying of a drink of liquor by one individual for another to be consumed by that individual. Any individual who buys a drink of liquor for another individual under the terms and provisions of this Act shall be deemed guilty of a misdemeanor and subject to a fine not exceeding Five Hundred (\$500.00) Dollars."

Mr. Morse moved the previous question on the pending amendment, certain amendment on the Chair's desk, by Mr. Langdon, and the passage of House Bill No. 20, and the main question was ordered.

Question recurring on the amendment by Mr. Fox, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—31

Adkins	Kelt
Beckworth	Kern
Bradbury	King
Davis of Haskell	Langdon
Davison of Fisher	Lankford
Deglandon	London
Derden	Lucas
Fox	Oliver
Hamilton	Patterson of Mills
Harbin	Petsch
Harrell	Powell
Harris of Archer	Reed of Bowie
Hull	Ross
Jones of Angelina	Russell
Jones of Wise	Weldon
Keefe	

Nays—84

Alexander	Jackson
Alsup	Johnson of Ellis
Amos	Johnson
Anderson	of Tarrant
Bates	Jones of Falls
Bell	Keith
Boethel	Kenyon
Bond	Knetsch
Boyer	Lehman
Bradford	Little
Bridgers	Loggins
Broadfoot	Mauritz
Burton	Mays
Callan	McDonald
Carssow	McKee
Cathey	Metcalf
Cauthorn	Moffett
Celaya	Monkhouse
Colquitt	Morris
Davisson	Morse
of Eastland	Newton
Dean	Nicholson
Dickison	Patterson
Donaghey	of Travis
England	Pope
Felty	Prescott
Fielden	Ragsdale
Fuchs	Reed of Dallas
Gibson	Rhodes
Hankamer	Riddle
Hanna	Roark
Harper	Settle
Harris of Dallas	Sewell
Harris of Dickens	Shell
Hartzog	Sharpe
Herzik	Simpson
Hoskins	Smith of Hopkins
Howard	Smith of Tarrant
Huddleston	Stinson

Talbert
Tennant
Thornberry
Thornton
Vale

Waggoner
Winfree
Wood
Worley

Present—Not Voting

McConnell

Absent

Blankenship
Brown
Davis of Jasper
Dollins
Farmer
Hardin
Holland
Lanning
Leonard

Mann
Palmer
Quinn
Skaggs
Smith
of Matagorda
Stocks
Tennyson

Absent—Excused

Baker
Cagle
Cleveland
Graves
Heflin
Hyder
Jones of Atascosa
Leath
Leyendecker

McFarland
McKinney
Reader
Rutta
Schuenemann
Stevenson
Tarwater
Westbrook

Mr. Langdon offered the following amendment to the bill:

Amend House Bill No. 20, by striking out on page 5, line 17, and substituting therefor the following:

"For legalizing the sale of diluted hard liquor by the drink."

And by striking out line 18 and substituting therefor the following:

"Against legalizing the sale of diluted hard liquor by the drink."

And by striking out lines 22 and 23 and substituting therefor the following:

"For prohibiting the sale of diluted hard liquor by the drink." "Against prohibiting the sale of diluted hard liquor by the drink."

LANGDON,
JONES of Wise,
JONES of Atascosa,
HARDIN.

Question recurring on the amendment by Mr. Langdon, yeas and nays were demanded.

The amendment was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—66

Adkins

Alexander

Amos
Bates
Beckworth
Bell
Blankenship
Bond
Bradbury
Bridgers
Broadfoot
Brown
Burton
Cathey
Davis of Haskell
Davison of Fisher
Davisson
of Eastland
Deglandon
Derden
England
Fielden
Fox
Hamilton
Harbin
Hardin
Harper
Harrell
Harris of Archer
Harris of Dickens
Holland
Huddleston
Johnson of Ellis
Jones of Angelina
Jones of Falls

Jones of Wise
Keefe
Kelt
Kern
King
Langdon
Lankford
Lanning
Leonard
London
Lucas
Mauritz
McConnell
McDonald
Metcalf
Moffett
Morris
Nicholson
Oliver
Patterson of Mills
Petsch
Powell
Prescott
Reed of Bowie
Ross
Russell
Smith of Hopkins
Talbert
Thornberry
Weldon
Wood
Worley

Nays—55

Anderson
Boethel
Boyer
Bradford
Callan
Carssow
Cauthorn
Celaya
Colquitt
Dean
Dickison
Dollins
Donaghey
Felty
Fuchs
Gibson
Hankamer
Hanna
Harris of Dallas
Hartzog
Herzik
Hoskins
Howard
Jackson
Johnson
of Tarrant
Keith
Kenyon
Knetsch

Lehman
Little
Loggins
Mann
Mays
McKee
Monkhouse
Morse
Newton
Patterson
of Travis
Pope
Ragsdale
Reed of Dallas
Rhodes
Riddle
Settle
Sewell
Sharpe
Shell
Simpson
Smith of Tarrant
Stinson
Tennant
Thornton
Vale
Waggoner
Winfree

Present—Not Voting	
Roark	
Absent	
Alsup	Skaggs
Davis of Jasper	Smith
Farmer	of Matagorda
Hull	Stocks
Palmer	Tennyson
Quinn	

Absent—Excused	
Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Jones of Atascosa	Tarwater
Leath	Westbrook
Leyendecker	

PAIRED

Mr. Roark (present), who would vote "yea", with Mr. Quinn (absent), who would vote "nay".

Question then recurring on the final passage of House Bill No. 20, yeas and nays were demanded.

House Bill No. 20 was passed by the following vote:

Yeas—62

Amos	Johnson
Anderson	of Tarrant
Bell	Jones of Falls
Boethel	Keith
Bond	Kenyon
Bridgers	Knetsch
Callan	Lehman
Carssow	Leonard
Cathey	Little
Cauthorn	Loggins
Celaya	Mann
Colquitt	Mays
Dean	McDonald
Dickison	McKee
Dollins	Monkhouse
Donaghey	Morse
Felty	Newton
Fielden	Nicholson
Fuchs	Patterson
Gibson	of Travis
Hankamer	Pope
Hanna	Ragsdale
Harris of Dallas	Reed of Dallas
Hartzog	Rhodes
Herzik	Riddle
Hoskins	Settle
Howard	Sharpe
Hull	Shell
Jackson	Simpson

Smith of Tarrant	Vale
Stinson	Waggoner
Thornton	Winfree

Nays—57

Adkins	Jones of Atascosa
Alsup	Jones of Wise
Bates	Keefe
Beckworth	Kelt
Blankenship	Kern
Boyer	Langdon
Bradbury	Lankford
Bradford	Lanning
Broadfoot	London
Brown	Lucas
Burton	Mauritz
Davis of Haskell	McConnell
Davis of Jasper	Metcalfe
Davison of Fisher	Moffett
Davison	Morris
of Eastland	Oliver
Deglandon	Patterson of Mills
Derden	Powell
England	Prescott
Fox	Reed of Bowie
Harbin	Ross
Hardin	Russell
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Archer	Talbert
Harris of Dickens	Tennyson
Huddleston	Thornberry
Johnson of Ellis	Weldon
Jones of Angelina	Wood

Present—Not Voting

Alexander	Roark
Hamilton	Sewell
Holland	Tennant
King	Worley
Petsch	

Absent

Farmer	Smith
Palmer	of Matagorda
Quinn	Stocks

Absent—Excused

Baker	McFarland
Cagle	McKinney
Cleveland	Reader
Graves	Rutta
Heflin	Schuenemann
Hyder	Stevenson
Leath	Tarwater
Leyendecker	Westbrook

PAIRED

Mr. Sewell (present), who would vote "nay", with Mr. Reader (absent), who would vote "yea".

Mr. Hamilton (present), who would vote "nay", with Mr. Hyder (absent), who would vote "yea".

Mr. Roark (present), who would vote "nay", with Mr. Quinn (absent), who would vote "yea".

Mr. Holland (present), who would vote "nay", with Mr. Leyendecker (absent), who would vote "yea".

Mr. Petsch (present), who would vote "nay", with Mr. Heflin (absent), who would vote "yea".

Mr. Tennant (present), who would vote "nay", with Mr. McFarland (absent), who would vote "yea".

Mr. Worley (present), who would vote "nay", with Mr. Schuenemann (absent), who would vote "yea".

Mr. King (present), who would vote "nay", with Mr. Baker (absent), who would vote "yea".

Mr. Alexander (present), who would vote "nay", with Mr. McKinney (absent), who would vote "yea".

Mr. Morse moved to reconsider the vote by which House Bill No. 20 was passed, and to table the motion to reconsider.

The motion to table prevailed.

EXPRESSING SYMPATHY OF THE HOUSE TO HON. MAINOR N. WESTBROOK

Mr. Oliver offered the following resolution:

H. S. R. No. 27, Expressing Sympathy of the House to Hon. Mainor N. Westbrook.

Whereas, It has come to our attention that our fellow Member, the Honorable Mainor N. Westbrook, is ill and confined to his home; now, therefore, be it

Resolved, That the Members of the House of Representatives do hereby express to Mr. Westbrook our sincere sympathy and hopes for his complete and speedy recovery; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send a beautiful bouquet of flowers to Mr. Westbrook's home together with a copy of this resolution.

OLIVER,
ROARK,
DEGLANDON,
KEEFE.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Anderson, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carsow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davison of Eastland, Dean, Derden, Dickson, Dollins, Donaghey, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Lehman, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Weldon, Winfree, Wood and Worley.

On motion of Mr. Davis of Haskell, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

TO PROVIDE FOR PAYMENT OF CERTAIN SALARY

Mr. Harrell offered the following resolution:

H. S. R. No. 28, To provide for payment of certain salary.

Whereas, On September 27, 1937, Mr. Dick Lemmons of Leon County, Texas, was appointed Assistant Sergeant-at-Arms; and

Whereas, He has not received his pay check on account of the State claiming that he owes it a debt; and

Whereas, He borrowed money to come to Austin to accept such employment and not getting his salary check has left him in destitute circumstances; now, there be it

Resolved by the House of Representatives of the State of Texas, That the Comptroller is hereby requested to deliver to Mr. Lemmons his salary check.

The resolution was read second time, and was adopted.

RECESS

Mr. Moffett moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Blankenship moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Question first recurring on the motion to adjourn, it was lost.

Question next recurring on the motion to recess until 10:00 o'clock a. m., tomorrow, it prevailed, and the House, accordingly, at 9:35 o'clock p. m., took recess until 10:00 o'clock a. m., tomorrow.

TWELFTH DAY

(Continued)

(Friday, October 15, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Mr. Roark.

COMMUNICATION FROM HON. R. W. CALVERT

The Chair laid before the House, and had read the following communication:

Austin, Texas,
October 14, 1937

Mrs. Louise Snow Phinney
Chief Clerk of the House
Austin, Texas

Dear Mrs. Phinney:

I hereby designate and appoint the Honorable Alf Roark to preside over the House of Representatives at the morning session and the Honorable Bob Alexander to preside at the afternoon session on October 15, 1937, at which time I will be absent from the Chair.

Very truly yours,
R. W. CALVERT,
Speaker of the House.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Quinn was granted leave of absence for today, on account of important business, on motion of Mr. Roark.

Mr. Smith of Matagorda was granted leave of absence for today, on account of important business, on motion of Mr. Bond.

Mr. Jones of Falls was granted leave of absence for today, on account of important business, on motion of Mr. Adkins.

Mr. Heflin was granted leave of absence for today, on account of important business, on motion of Mr. Monkhouse.

HOUSE BILLS ON FIRST READING

(By unanimous consent)

The following House Bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Stinson, Mr. Reed of Dallas, Mr. Harris of Dallas, Mr. Hanna, Mr. Colquitt and Mr. Blankenship:

H. B. No. 121, A bill to be entitled "An Act to amend Sections 3, 6, 7, 8, 9, 10, 13, 18, 20 and 24 of Article 2997a of the Revised Civil Statutes of Texas, 1925, and being Chapter 33 of the General and Special Laws of the Forty-first Legislature, Fourth Called Session by providing that the commissioners' court of any county in the State of Texas may adopt for use in elections and primary elections in at least three of the larger voting precincts in voting strength in said county any kind of voting machine approved by the Secretary of State and may adopt said voting machines at any time for use in such additional voting precincts in the county as it may deem advisable, and thereupon such voting machines shall be used at any and all elections and primary elections, municipal, county, district or State; and all school and bond elections; providing for the payment of voting machines in such county; providing that such commissioners' court is authorized to issue bonds, certificates of indebtedness, or other obligations to be used for the purpose of paying for voting machines; providing that such bond, certificates of indebtedness, or other obligations, may